

### **REMARKS**

Claims 1-6 are now pending in the application. Claims 7-27, including withdrawn claims 8-27, are cancelled herein without surrender of the subject matter recited therein. Claim 1 is amended. Support for the amendment can be found in claim 7 as originally filed and at paragraphs [0056]–[0058] of the originally filed specification. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **SUMMARY OF THE SUBSTANCE OF THE INTERVIEW**

Applicants thank the Examiner for the telephonic interview with Applicants' representative on January 25, 2007. Therein, Examiners, Jason M. Sims and John S. Brusca, discussed claims 1-7 with Applicants' representative, Jennifer S. Brooks. In particular, claims 1 and 7 were discussed. For example, the rejection of claim 7 under 35 U.S.C. § 102 was discussed; agreement was reached that claim 7 was mistakenly listed as rejected under 35 U.S.C. § 102, and that claim 7 is rejected only under 35 U.S.C. § 112, second paragraph. Also, the rejection of claim 7 under 35 U.S.C. § 112, second paragraph, was discussed; agreement was reached for amending claim 7 to overcome this rejection. Further, potential statutory subject matter issues were raised regarding claim 1; agreement was reached that future rejections of claim 1 under 35 U.S.C. § 101 can be avoided by amending claim 1 to include the subject matter of claim 7.

#### **REJECTION UNDER 35 U.S.C. § 112**

Claim 7 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. This rejection is respectfully traversed.

Applicants respectfully note that the rejection of claim 7 is moot in view of its cancellation herein. Also, Applicants respectfully note that the subject matter of claim 7 as added to claim 1 has been altered according to the Examiner's suggestions to overcome the rejection.

Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of claim 7 under 35 U.S.C. § 112, second paragraph.

#### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1-7 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Stanley et al. (U.S. Publication No. 2002/0156756). This rejection is respectfully traversed.

The Examiner relies on Stanley et al. to teach a life sciences laboratory system. However, Stanley et al. do not teach a life sciences laboratory system having a catalog of life sciences related assay kits linked in memory to related portions of genomic data, and a purchasing subsystem presenting portions of the catalog to users for potential purchase of assay kits identified as a result of access by the users of correspondingly related portions of genomic data.

Applicants' claimed invention is directed toward a life sciences laboratory system. In particular, Applicants' claimed invention is directed toward a life sciences laboratory system having a catalog of life sciences related assay kits linked in memory to related

portions of genomic data, and a purchasing subsystem presenting portions of the catalog to users for potential purchase of assay kits identified as a result of access by the users of correspondingly related portions of genomic data. For example, independent claim 1, especially as amended, recites, "A life sciences laboratory system, comprising: ... a catalog of life sciences related assay kits linked in memory to related portions of genomic data; and a purchasing subsystem presenting portions of said catalog to users for potential purchase of assay kits identified as a result of access by the users of correspondingly related portions of genomic data." Therefore, Stanley et al. do not teach all of the limitations of independent claim 1.


Accordingly, Applicants respectfully request the Examiner reconsider and withdraw the rejection of independent claim 1 under 35 U.S.C. § 102(e), along with rejection on these grounds of all claims dependent therefrom.

## CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: February 1, 2007

By:   
Jeffrey L. Snyder, Reg. No. 43,141  
Jennifer S. Brooks, Reg. No. 51,501

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

JLS/kh